

REMARKS

Summary of Office Action

Claims 27-49 are pending.

Claim 27, 28 and 35-37 are allowed.

Claims 33, 34, 38-41, 44, and 45 are rejected under 35 U.S.C. 103(a) as being allegedly unpatentable over U.S. Patent No. 5,824,133 to Tranquilla (“Tranquilla”) in view of “Short-Pulse Microwave Treatment of Disseminated Sulfide Ores” to Salsman et al. (“Salsman”).

Claims 42 and 43 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and intervening claims.

Applicant’s Reply

Applicant has cancelled claims 29, 30, 33, 34, 38-41, and 44-49 without prejudice. Cancellation of these claims are being made solely to expedite prosecution and do not constitute an acquiescence to any of the Examiner’s rejections. Applicant reserves the right to pursue these claims, prior versions of the claims, and/or the cancelled claims in another application. Accordingly, all rejections in the Office Action are moot.

Applicant thanks the Examiner for indicating that claims 27, 28 and 35-37 are allowed and that claims 42 and 43 would be allowable if rewritten in independent form including all of the limitations of the base claim and intervening claims. Applicant has rewritten claim 42 in independent form including all of the limitations of the base claim and intervening claims. Claim 43 depends from claim 42 and therefore includes all of the limitations of the base claim

and intervening claims. Applicant respectfully submits that all remaining claims are in condition for allowance.

CONCLUSION

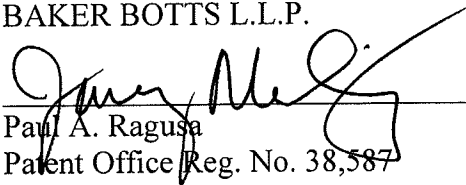
Applicant submits that this Amendment After Final and the accompanying Remarks do not raise new issues for consideration or necessitate the undertaking of any additional search of the art by the Examiner. This Amendment After Final should therefore allow for immediate action by the Examiner.

Applicant also submits that entry of this Amendment After Final and the accompanying remarks would place the present application in better form for appeal, should the Examiner dispute the patentability of any of the pending claims.

On the basis of the foregoing Amendments and remarks, Applicant respectfully submits that the pending claims of the present application are allowable over the prior art of record. Applicant thus respectfully requests that the pending claims be allowed by the Examiner. Favorable consideration and timely allowance of this application are respectfully requested.

Respectfully submitted,

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